

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MARILYN KUNELIUS,

Plaintiff,

v.

Civil Action No. 05-11697-GAO

TOWN OF STOW, et al.

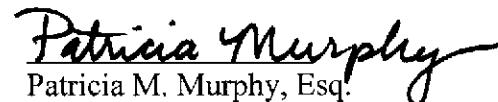
Defendants.

**SUPPLEMENTAL DECLARATION OF PATRICIA MURPHY IN SUPPORT OF THE  
MOTIONS FOR SUMMARY JUDGMENT OF DEFENDANTS THE TRUST FOR  
PUBLIC LAND AND CRAIG A. MACDONNELL**

1. I am an attorney with the law firm of Goodwin Procter LLP, attorneys of record for defendants the Trust For Public Land and Craig A. MacDonnell in the above-captioned case. This Supplemental Declaration is filed in support of the Motions for Summary Judgment of Defendants the Trust For Public Land and Craig A. MacDonnell.
2. Defendants The Trust For Public Land and Craig A. MacDonnell have submitted herewith a Memorandum in Opposition to Plaintiff's Motions For Summary Judgment and In Further Support of Their Motions For Summary Judgment, a Response to Plaintiff's Statement of Undisputed Facts, and a Supplemental Appendix in Support of their Motions for Summary Judgment ("Supplemental Appendix").
3. Included in the Supplemental Appendix are true and correct copies of the following documents:

- Tab 1. Handwritten notes of Craig MacDonnell, dated February 3, 2003 (TPL-KUN 01963)
- Tab 2. Minutes of Stow Special Town Meeting, January 13, 2003 (KUN205-216)
- Tab 3. Minutes of Stow Annual Town Meeting, May 19-21, 2003
- Tab 4. Excerpt from the deposition transcript of Gregory Jones, March 5, 2007
- Tab 5. Minutes of Stow Board of Selectmen Meeting, November 25, 2003
- Tab 6. Email dated February 4, 2003 from Craig MacDonnell to Ann Cole re: PRC – Stow – Kunelius Farm Q&A (TPL-KUN 01144-01146)
- Tab 7. Email dated February 9, 2003 from Karen Sommerlad to Craig MacDonnell re: Notice of Intent Application (TPL-KUN 02553-02555)
- Tab 8. Document titled Answers to Ross Perry, dated February 8, 2003 (KUN671)
- Tab 9. Minutes of Board of Selectmen Meeting, February 11, 2003
- Tab 10. Minutes of Board of Selectmen Meeting, January 7, 2003

Signed under the penalties of perjury this 16<sup>th</sup> day of November, 2007.

  
Patricia M. Murphy, Esq.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on November 16, 2007.

*/s/ Richard A. Oetheimer*

Richard A. Oetheimer